

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN MONROE,

Plaintiff,

Case No. 2:12-cv-837

JUDGE GREGORY L. FROST

Magistrate Judge Norah McCann King

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

This action seeks review under 42 U.S.C. § 405(g) of a final decision of the Commissioner of Social Security denying Plaintiff's application for disability insurance benefits. On June 21, 2013, the United States Magistrate Judge recommended that the decision of the Commissioner be reversed pursuant to sentence 4 of 42 U.S.C. § 405(g) and that this action be remanded to the Commissioner for further consideration of Plaintiff's residual functional capacity. (ECF No. 19 at PAGEID# 937.) Although the parties were advised of their right to object to the Magistrate Judge's recommendation and of the consequences of their failure to do so (*id.*), there has been no objection to the Report and Recommendation.

The Court **ADOPTS AND AFFIRMS** the Report and Recommendation. The decision of the Commissioner is **REVERSED** and the matter is **REMANDED** to the Commissioner for further proceedings to consider Plaintiff's residual functional capacity.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE